

U.S. Serial No. 10/002,576  
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### REMARKS

Support for amending claim 1 is found in Figure 3 of the specification where the most pearlite formation is seen from 10 vol% to 50 vol% H<sub>2</sub>. Example 1 describes the process gas consisting essentially only of CO and H<sub>2</sub>.

#### 35 USC §103(a)

The Examiner has rejected the claims under 35 USC 103(a) over Ramanarayanan (US 5,869,195) in view of Applicant's admission of prior art and Garg (US 6,287,393).

The claims have been amended to better differentiate the CO:H<sub>2</sub> process gas of the present invention from the process gasses of Ramanarayanan and Garg that have other ingredients than the CO and H<sub>2</sub> of the as-amended claims. As shown in Example 1, the present invention does not need additional gases such as hydrocarbons (e.g., methane), nitrogen, and oxygen in the process gas.

Ramanarayanan and Garg do not even allude to the importance of the ratio of CO:H<sub>2</sub>. The as-amended claims limit the volume range of H<sub>2</sub> (and thereby inversely CO) to better differentiate the amount of H<sub>2</sub> and CO (and their ratio) in the process gas compared to Ramanarayanan and Garg. Since Ramanarayanan and Garg have additional gases that dilute H<sub>2</sub> and CO percentages in their process gas, neither Ramanarayanan or Garg teach or suggest the H<sub>2</sub> or CO percentages within the 10-50 vol% H<sub>2</sub> (or implied 50-90 vol% CO) ranges of the as-amended claims.

Applicants respectfully suggest that the as-amended claims are not taught or suggested by the cited references.

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Reconsideration of the application as amended is respectfully requested.

Respectfully submitted,

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☒ Pursuant to 37 CFR 1.34(a)

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